

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In re: Torrant-Kenny Funeral Home

Petition No. 2001-0312-056-003

CONSENT ORDER

WHEREAS, Torrant-Kenny Funeral Home of Norfolk (hereinafter "respondent") has been issued license number 000457 to practice as a funeral service business by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 385 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. During May 1996 respondent employed Brian Kenny.
2. Between about May 21, 1996 and about May 31, 1996 Brian Kenny provided funeral services to V.C. and/or J.C. after the death of their daughter, S.C.
3. While providing services to V.C. and/or J.C., respondent failed to:
 - a. provide a statement of merchandise;
 - b. provide a funeral purchase agreement;
 - c. allow a timely viewing of S.C.'s remains to her mother, V.C.;
 - d. bury the remains of S.C. in the casket selected; and/or,
 - e. place the embalmer's name on the Certificate of Death for S.C., but instead listed his own name as the embalmer.
4. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-227, including, but not limited to:
 - a. §20-227(2);
 - b. §20-227(4); and/or,
 - c. §20-227(5).

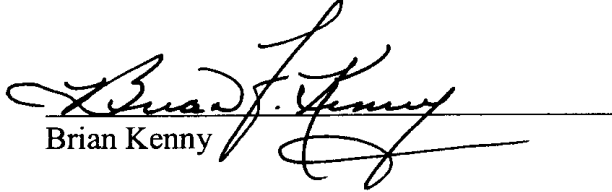
WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Connecticut Board of Examiners of Embalmers and Funeral Directors (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-227 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-227 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

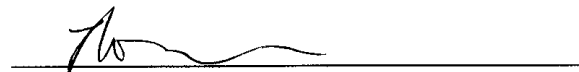
1. Respondent waives its right to a hearing on the merits of this matter.
2. Respondent's license number 000457 to practice as a funeral service business in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of two thousand dollars (\$2,000.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time respondent submits the executed Consent Order to the Department.
4. Respondent shall comply with all state and federal statutes and regulations applicable to its licensure.
5. Respondent shall pay all costs necessary to comply with this Consent Order.
6. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Health Systems Regulation of the Department.

7. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.
8. Respondent understands this Consent Order may be considered as a public document and evidence of the above admitted violations in any proceeding before the Board in which its compliance with this Consent Order or with §20-227 of the General Statutes of Connecticut, as amended, is at issue.
9. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that it may have under the laws of the State of Connecticut or of the United States.
10. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
11. Respondent permits a representative of the Legal Office of the Bureau of Regulatory Services to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted.
12. Respondent has the right to consult with an attorney prior to signing this document.

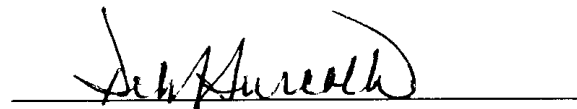
I, Brian Kenny, representing Tarrant-Kenny Funeral Home, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.


Brian Kenny

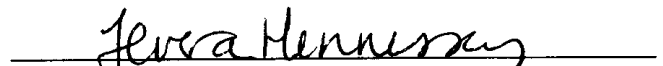
Subscribed and sworn to before me this 30th day of August 2001.


Notary Public or person authorized
by law to administer an oath or affirmation
Thomas P. Chapman

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 31st day of August 2001, it is hereby accepted.


Debra J. Turcotte, Director
Division of Health Systems Regulation

The above Consent Order having been presented to the duly appointed agent of the _____ on the 11th day of September 2001, it is hereby ordered and accepted.


Connecticut Board of Examiners of Embalmers
and Funeral Directors